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SUBJECT: ISRAELI-ARAB NGO LAUNCHES CAMPAIGN AGAINST
CONTROVERSIAL CITIZENSHIP LAW

REF: 03 TEL AVIV 4444

1. Summary: An Israeli-Arab advocacy NGO appealed to the diplomatic community at an April 13 gathering to lobby the GOI against renewal of the controversial July 2003 law that bars Palestinians from the Occupied Territories from acquiring Israeli residency or citizenship rights through marriage to Israelis. The law, which was passed on an emergency basis for one year's duration, is up for Knesset renewal in July. According to the NGO, the law has adversely affected some 21,000 couples, mainly composed of Israeli Arabs and Palestinians. End summary.

Supreme Court Decision Still Pending

2. On April 13, the Mossawa Advocacy Center for Arab Citizens of Israel held a briefing for the diplomatic community on its campaign against renewal of Israel's temporary Nationality and Entry into Israel Law (Citizenship and Family Unification Law) and appealed for greater domestic and international advocacy against renewal of the law in July. The law prevents only Palestinian residents of the West Bank and Gaza from obtaining Israeli residency or citizenship through marriage to Israeli citizens. The law excludes "residents of Israeli communities" in the West Bank and Gaza, and does not pertain to other foreign spouses of Israeli citizens. The practical effect of the law, according to Israeli NGO documentation, has been the separation of thousands of Israeli-Arab citizens from their Palestinian spouses. Several NGOs as well as Knesset members have filed petitions with the Supreme Court challenging the law. After several hearings, including before an enlarged panel of 13 justices, the Supreme Court has not yet reached a decision. Jafar Farah, Director of Mossawa, predicted the Supreme Court would issue a decision in July, presumably before the law is re-enacted. Farah anticipates that the Knesset will introduce legislation to renew the law in June.

3. The justification for the law, as discussed in the Knesset one year ago, was some 20 cases of Palestinians from the West Bank or Gaza married to Israeli Arabs who had allegedly been involved in terrorist activities. Adalah, an Israeli-Arab legal advocacy NGO, argued in its petition that the GOI's security concerns "cannot justify such sweeping measures" and that the law is "completely disproportionate." Adalah argues that the law violates Israel's Basic Law protecting dignity of the person and is racist in nature. Farah pointed out that Amnesty International, Human Rights Watch, UNESCO, and the European Commission had all expressed concern about the law.

Families Caught in Limbo

4. Mossawa invited to the diplomatic briefing several Israeli Arabs adversely affected by the law to discuss their cases. An Israeli Arab from Kafr Qassem noted the difficulties he faces being separated from his Palestinian wife of five years who must live in her West Bank town of Qalqilya with their child, including sometimes having to wait hours at checkpoints to visit her. An Israel-Arab woman from the Galilee whose husband lives in Jenin claimed that the GOI had denied her a passport and social benefits because she is married to a Palestinian. Another Israeli Arab complained about the financial difficulties he faces supporting his wife of eight years who is living illegally with him and their three children since she cannot receive medical insurance. According to Farah, several families who have been separated as a result of this law are applying for asylum in countries such as Canada, Germany, and the Netherlands.

Mossawa Announces Campaign

5. Farah used the gathering to announce Mossawa's domestic and international lobbying campaign against renewal of the law. Farah said that Mossawa is encouraging Israeli citizens

to contact the Interior Ministry to express their opposition to the law. He said that Mossawa would also be asking affected family members to come forward and publicize their cases. One Mossawa representative also noted that Mossawa has written a letter to the U.S. Senate Foreign Relations Committee in which it criticizes the law and requests that the committee express its concern about the law to the GOI. Farah commented that while the U.S. Human Rights Report discussed the controversial law, it was important that USG raise concerns about the law directly with the GOI.

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LeBaron